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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,611	11/20/2003	Kang Soo Seo	1740-000064/US	7147
30593 7590 11/26/2008 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195				
EXAMINER DUNN, MISHAWN N				
ART UNIT 2621		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/716,611

## Applicant(s)

SEO ET AL.

## Examiner

MISHAWN DUNN

## Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 8, 9, 13, 15-20, 24, 25, 29, 30, 34, 35 and 39-52 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 1, 8, 9, 13, 15-20, 24, 25, 29, 30, 34, 35, and 39-52 is/are rejected.

- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/20/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/08, 10/08, 10/08, 11/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/9/2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 8, 9, 13, 15, and 16 have been fully considered and are persuasive. The rejection of claims 1, 8, 9, 13, 15, and 16 under 35 U.S.C. 101 is withdrawn.
3. Applicant's arguments with respect to claims 1, 8, 9, 13, 15-20, 24, 25, 29, 30, 34, 35, 39, 40, and 41 have been considered but are moot in view of the new ground(s) of rejection.
4. Applicant argues that Kashiwagi et al. fails to disclose "mapping information between a presentation time and a unit of the clip stream file" as recited in claim 1. The examiner agrees. However, Kato teaches mapping information between a presentation time and a unit of the clip stream file (para. 0269).
5. Further, applicant argues that Kashiwagi et al. fails to disclose a "playlist file including at least one playitem indicating in-point and out-point of the clip stream file" as

recited in the independent claims. The examiner disagrees. However, Kato teaches a playlist file including at least one playitem indicating in-point and out-point of the clip stream file (fig. 1).

6. In response to applicant's argument that Kato is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. In this case, Kato teaches a reproduction apparatus, which is in the field of the applicant's endeavor.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1, 8, 9, 13, 15, and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "Physical computer-readable recording medium" is not properly described in the application as filed. The specification recites a "recording medium," but not a "computer-readable recording medium."

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 8, 9, 13, 15-20, 24, 25, 29, 30, 34, 35, and 39-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al. (US Publication Number 2004/0179820) in view of Kato (US Pub. No. 2004/0213552).

11. Consider claim 1. Kashiwagi et al. discloses a physical computer readable medium (fig. 2) storing an executable data structure for managing reproduction of at least one still image recorded on the computer readable medium by a reproducing apparatus (para. 0097), comprising: a data area (fig. 4) storing a clip stream file (video packets V1, V2, fig. 17), the clip stream file (V1, V2) including at least video data (V1, fig. 17) for a still image (VOBU) (para. 0238); a management area storing a clip information file associated with the clip stream file (paras. 0209-0218), the clip information file (NV) including at least an entry point map (PCI, DSI, fig 20), the entry point map (PCI, DSI).

Kashiwagi et al. does not teach storing a playlist file, mapping information between a presentation time and a unit of the clip stream file, the playlist file including at least one playitem indicating in-point and out-point of the clip stream file to reproduce at least one still image, and the clip stream file is separate from the clip information file.

However, Kato teaches storing a playlist file (fig. 1), mapping information between a presentation time and a unit of the clip stream file (para. 0269), the playlist file including at least one playitem indicating in-point and out-point of the clip stream file to reproduce at least one still image (fig. 1), and the clip stream file is separate from the clip information file (fig. 2).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to store a playlist file, map information between a presentation time and a unit of the clip stream file, the playlist file including at least one playitem indicating in-point and out-point of the clip stream file to reproduce at least one still image, and have the clip stream file is separate from the clip information file, in order to properly manage data.

12. Consider claim 2. Kashiwagi teaches a recording medium (RS1) wherein the entry point provides at least a start address (NT\_ILVU\_SA, Fig. 20) of the video data forming the still image (para. 0267).

13. Consider claim 8. Kashiwagi teaches the physical computer readable medium of claim 1, wherein the data area further includes another clip stream file (audio pack A1, A2 fig. 17), and the another clip stream file includes audio data (para. 0242); and the playlist file (VOB#1, fig. 16) further includes at least one sub-playitem (VOBU#1, fig. 16) indicating in-point and out-point of the another clip stream file to reproduce the audio data (VOBUs of MPEG data inherently include reproducible audio and video; fig. 17, para. 0250).

14. Consider claim 9. Kashiwagi teaches the physical computer readable medium of claim 8, wherein the sub-playitem (VOBU#1 fig. 16) provides information for reproducing the clip stream file (video packs V1, V2, fig. 17) and the another clip stream file (audio pack A1, A2 fig. 17) such that the video data and the audio data are played in time synchronization with one another (paras. 0249 and 0258).

15. Consider claim 13. Kashiwagi teaches the physical computer readable medium of claim 1, wherein the playitem (CELL#1,) includes duration information to display the still image (paras. 0142 and 0224; fig. 20, by serving as access point it automatically sets the playback (display) duration. Setting duration is inherent characteristic of Kashiwagi in that any image reproduced takes up a preset interval time (display life time) on the screen).

16. Consider claim 15. Kashiwagi teaches the physical computer readable medium of claim 1, wherein the clip stream includes video data representing more than one still image (fig. 17); and the playlist file (VOB#1, Fig. 16) includes navigations information for sequentially reproducing a number of the still images sequence (see start time of video material VOB\_VTS, end time of video material VOB\_VEND, fig. 28; para. 0351).

17. Consider claim 16. Kashiwagi teaches the physical computer readable medium of claim 1, wherein the clip stream file includes video data representing more than one still image (fig. 17); and the playlist file (VOB#1, fig. 16) includes navigation information for selectively reproducing the still images (fig. 24, para. 0346) (anyone of the VOBs, VOB-B – VOB-D, can be selected to be reproduced and each single still image in the VOBs get reproduces accordingly).

18. Consider claim 19. Kashiwagi teaches an apparatus for recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pickup (recorder 1200, fig. 2) configured to record data on the recording medium (M) (para. 0107); a controller (Encode system controller 200) configured to control the pick up (para. 0107).

Kashiwagi is silent on controlling a driver to record a clip stream file and a clip information file associated with the clip stream file on the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

However it is inherent characteristics of the device of Kashiwagi to incorporate a controlling a driver to record a clip stream file and a clip information file associated with the clip stream file on the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

19. Consider claim 20, Kashiwagi teaches an apparatus for recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pickup (reproducing media driving unit 2004, fig. 3) configured to reproduce data recorded on the recording medium (M) (para. 0135); a controller (reproducing controller 2002, fig. 3) configured to control pickup to reproduce (para. 0136).

Kashiwagi is silent on controlling a driver to reproduce a clip stream file and a clip information file associated with the clip stream file from the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

However it is inherent characteristics of the device of Kashiwagi to incorporate a controlling a driver to reproduce a clip stream file and a clip information file associated with the clip stream file from the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

20. Claims 17, 18, and 24, 25, 29, 30, 34, 35, 39-52 are rejected using similar reasoning as the corresponding claims above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information Consider the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/  
Examiner, Art Unit 2621  
November 12, 2008

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621